

108TH CONGRESS  
1ST SESSION

# H. R. 1575

To amend the Internal Revenue Code of 1986 to provide assistance with elementary and secondary educational costs to parents of children with disabilities.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2003

Mr. PAUL introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to provide assistance with elementary and secondary educational costs to parents of children with disabilities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Help and Opportuni-  
5 ties for Parents of Exceptional Children Act of 2003”.

1 **SEC. 2. CREDIT FOR ELEMENTARY AND SECONDARY EDU-**  
 2 **CATIONAL EXPENSES OF CHILDREN WITH**  
 3 **DISABILITIES.**

4 (a) IN GENERAL.—Subpart A of part IV of sub-  
 5 chapter A of chapter 1 of the Internal Revenue Code of  
 6 1986 (relating to nonrefundable personal credits) is  
 7 amended by inserting after section 25B the following new  
 8 section:

9 **“SEC. 25C. CREDIT FOR ELEMENTARY AND SECONDARY**  
 10 **EDUCATIONAL EXPENSES OF CHILDREN**  
 11 **WITH DISABILITIES.**

12 “(a) IN GENERAL.—In the case of an individual,  
 13 there shall be allowed as a credit against the tax imposed  
 14 by this chapter for the taxable year an amount equal to  
 15 the qualified educational expenses paid during such tax-  
 16 able year for elementary or secondary education of each  
 17 child with a disability who is a dependent of the taxpayer  
 18 with respect to whom the taxpayer is allowed a deduction  
 19 under section 151.

20 “(b) LIMITATION.—The credit allowed by subsection  
 21 (a) shall not exceed \$3,000 per child with a disability for  
 22 any taxable year.

23 “(c) DEFINITIONS.—For purposes of this section—

24 “(1) QUALIFIED EDUCATIONAL EXPENSES.—

25 “(A) IN GENERAL.—The term ‘qualified  
 26 educational expenses’ means cost of attendance

1 in connection with the elementary or secondary  
2 education of a student at a qualified edu-  
3 cational institution. Under regulations pre-  
4 scribed by the Secretary, rules similar to the  
5 rules relating to cost of attendance (within the  
6 meaning of section 472 of the Higher Edu-  
7 cation Act of 1965 (20 U.S.C. 1087ll) (as in ef-  
8 fect on the date of the enactment of this para-  
9 graph) shall apply for purposes of the preceding  
10 sentence.

11 “(B) COORDINATION WITH EDUCATION  
12 SAVINGS ACCOUNTS.—The amount taken into  
13 account under subsection (a) with respect to a  
14 child shall be reduced by the amount of any dis-  
15 tribution from any Coverdell education savings  
16 account of which such child is a beneficiary  
17 which is not includible in gross income for the  
18 taxable year by reason of section 530(d)(2)(A).

19 “(2) QUALIFIED EDUCATIONAL INSTITUTION.—  
20 The term ‘qualified educational institution’ means  
21 any educational institution (including any private,  
22 parochial, religious, or home school) organized for  
23 the purpose of providing elementary or secondary  
24 education.

1           “(3) CHILD WITH A DISABILITY.—The term  
 2       ‘child with a disability’ shall have the same meaning  
 3       as the meaning given to such term by section 602(3)  
 4       of the Individuals with Disabilities Act (20 U.S.C.  
 5       1401(3)).

6       “(d) ADJUSTMENTS FOR INFLATION.—

7           “(1) IN GENERAL.—In the case of any taxable  
 8       year beginning in a calendar year after 2003, the  
 9       \$3,000 amount contained in subsection (b) shall be  
 10      increased by an amount equal to—

11           “(A) \$3,000, multiplied by

12           “(B) the cost-of-living adjustment deter-  
 13      mined under section 1(f)(3) for the calendar  
 14      year in which the taxable year begins by sub-  
 15      stituting ‘calendar year 2002’ for ‘calendar year  
 16      1992’ in subparagraph (B) thereof.

17           “(2) ROUNDING.—If any increase determined  
 18      under paragraph (1) is not a multiple of \$10, such  
 19      increase shall be rounded to the next highest mul-  
 20      tiple of \$10.

21       “(e) REGULATIONS.—The Secretary shall prescribe  
 22      regulations to carry out this section, including regulations  
 23      providing for claiming the credit under this section on  
 24      form 1040EZ.”.

1       (b) CLERICAL AMENDMENT.—The table of sections  
2 for subpart A of part IV of subchapter A of chapter 1  
3 of such Code is amended by inserting after the item relat-  
4 ing to section 25B the following new item:

“Sec. 25C. Credit for elementary and secondary educational ex-  
penses of children with disabilities.”.

5       (c) EFFECTIVE DATE.—The amendments made by  
6 this Act shall apply to taxable years beginning after De-  
7 cember 31, 2002.

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